1946.

File No. B. Presidency Speakers etc & Member Salaries

Legal Deptt 46

B **BRANCH**

P.35(E)/1946

Subject:— A Bill to amend the Bombay Legislative Council (President, Dy President) and the Bombay Legislative Assembly (Speaker & Dy Speaker) Salary Act, 1937,

L. A. Bill No. I of 1946

Bom. Act No. XII of 1946

A Bill to amend the Bombay Legislative Members Salaries & Allowances Act, 1937

L. A. Bill No. II of 1946

Bom. Act No. XI of 1946

File No. B President Speaker etc & Members Salaries /46

Gen. 194 e.

4171-B

Two drafts of requisite Bills to amend -

(1) The President's and Speaker's Salaries Act, 1937,

and(2) The Bombay Legislative Members' Salaries and Allowances Act, 1937,

are put up for approval.

2. Both the Bills require recommendation of the Governor under section 82(3) of the Government of India Act, 1935.

After the Minister for (Law), the Prime Minister, Hon. H.E. and other Ministers have seen the Bills they will be publishe under the proviso to rule 80 of the Bombay Legislative Assembly Rules and its consideration may be recommended to the Legislative Assembly. Drafts of the Order are appended.

3. None of the Bills requires any sanction under the Government of India Act, 1935, affects any special responsibility of the Governor under section 52(1) of Act, or falls under clause (a), (b), (c) or (d) of paragraph XVII of the Instrument of Instructions to the Governor.

P. 238 of Legislature Manual

4. Both the Bills being money Bills will have to be introduced in the Bombay Legislative Assembly: vide section 82(1)(b).

Sd/-
1/5/46

AAS. Sd/-
1/5

A.L.R.- May be circulated as an immediate case as after publication copies will have to be sent to LA office for being despatched to MLA's and session is fixed for the 20th May

Sd/-
1/5

Addl. Secy. L.D.

4 c.
V.R.K.
14/7/56

Statement of Objects and Reasons

In view of the increased cost of living it is considered necessary to raise the salary and motor car maintenance allowance of the President of the Bombay Legislative Council and the Speaker of the Bombay Legislative Assembly from Rs. 500 and Rs. 150 to Rs. 850 and Rs. 200, respectively, per month; and to raise the salary paid to the Deputy President of the Bombay Legislative Council and the Deputy Speaker of the Bombay Legislative Assembly from Rs. 100 to Rs. 200 per month.

Sd/-
8/5

4 c.
V.R.K.
16/7/56

B I L L S

A Bill to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937

GOVERNMENT OF BOMBAY.
Legal Department
Resolution No. 3441
Bombay Castle, 8th May 1946.

Resolution:- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay, for publication in the Bombay Government Gazette, dated the 8th May 1946, as L.A. Bill No.I of 1946.

2. The Bill and the Statement should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari Scripts) and the translations so should be published in the Bombay Government Gazette on the 10th May 1946.

3. The dates of the various publications should be reported to the Secretary, Bombay Legislative Assembly.

By order of the Governor of Bombay,

Sd/-
(M.G.Monani)

Assistant Remembrancer of Legal Affairs.

To

The Manager,
Government Central Press, Bombay,
(With the Bill and Statement of Objects and Reasons and with a request that 200 Gazette copies of the Bill and the Statement may be forwarded to the Secretary to the Bombay Legislative Assembly for distribution to the Members of the Bombay Legislative Assembly and 25 copies for the use of the Legal Department).

The Oriental Translator to Government)
The Secretary to the Bombay Legislative Assembly) With a copy of the Bill and Statement of objects & Reasons.

With four extra copies of the Bill

4 e.
V.K.K.
16/7/56

B I L L S

A Bill to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No. 3442
Bombay Castle, 8th May 1946.

Resolution:- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay, for publication in the Bombay Government Gazette, dated the 8th May 1946, as L.A. Bill Riki No. II of 1946.

2. The Bill and the Statement should be translated into Marathi, Gujarati, Kannada and Hindustani(in Urdu and Devnagari Scripts) and translations should be published in the Bombay Government Gazette on the 10th May 1946.

3. The dates of the various publications should be reported to the Secretary, Bombay Legislative Assembly.

By order of the Governor of Bombay,

Sd/-
(M. G. Monani)

Assistant Remembrancer of Legal Affairs.

To

The Manager,
Government Central Press, Bombay.
(With the Bill and Statement of Objects and Reasons and with a request that 200 Gazette copies of the Bill and the Statement may be forwarded to the Secretary to the Bombay Legislative Assembly for distribution to the Members of the Bombay Legislative Assembly and 25 copies for the use of the Legal Dept.)

The Oriental Translator to the Government,
The Secretary to the Bombay Legislative Assembly
} With a copy of the Bill & Statement of Objects and Reasons

With four extra copies of the Bill.

4 c.
V.R.K.
16/7/56

No. 4099
Legal Department,
Bombay Castle, 31st May 1946.

From

P.H.Moos, Esquire, Bar-at-Law, I.C.S.,
Secretary to the Government of Bombay,

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for the assent of His Excellency the Governor, an authentic copy of a Bill to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 22nd May 1946 and on the 23rd May 1946, respectively.

2. None of the provisions of the Bill affects any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or falls within the purview of clause (a), (b), (c) or (d) of paragraph XVII of the Instrument of instructions to the Governor of Bombay.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of the papers noted in the margin. The Bill

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.
3. Bill as read for the third time and passed by the Bombay Legislative Council

a c.
V.R.K.
16/7/56

was not referred to a Select Committee.

5. Extracts from the proceedings of the Bombay Legislative Assembly and the Bombay Legislative Council, will be forwarded in due course.

I have the honour to be ,

Sir ,

Your most obedient servant,

CC. Sd/-
31/5/46

Secretary to the Government of Bombay,
Legal Department.

4 c.
V.R.K.
16/7/56

No. 4093
Legal Department,
Bombay Castle, 31st May 1946.

From

P.N.Moos, Esquire, Bar-at-Law, I.C.S.
Secretary to the Government of Bombay,

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for the assent of His Excellency the Governor, an authentic copy of a Bill to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 22nd May 1946 and on the 23rd May 1946, respectively.

2. None of the provisions of the Bill affects any special responsibility of the Governor under section 52(1) of the Government of India Act, 1935, or falls within the purview of clause (a), (b), (c) or (d) of paragraph XVII of the Instrument of Instructions to the Governor of Bombay.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one copy of each of

---

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.
2. Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.
3. Bill as read for the third time and passed by the Bombay Legislative Council.

papers noted in the margin. The Bill was not referred to a Select Committee.

4 c.
V.R.K.
16/7/56

5. Extracts from the proceedings of the Bombay Legislative Assembly and the Bombay Legislative Council will be forwarded in due course.

I have the honour to be

Sir,

Your most obedient servant,

OC. Sd/-
31/5/46

Secretary to the Government of Bombay,
Legal Department.

4 c.
V.R.K.
16/7/56

No. G.S. 1767.

Office of the Governor's Secretary
Government House

From.

G.G.Drewe, Esquire, OBE.ICS.
Secretary to the Governor of Bombay

To

The Secretary to Government,
Legal Department,
Ganeshkhind, 7th June 1946.

Subject: A Bill to amend the Bombay Legislative Council (President and Dy. President) and the Bombay Legislative Assembly (Speaker and Dy. Speaker) Salaries Act, 1937.

Sir,

With reference to your letter No.4099, dated 31st May 1946, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the Bill to amend the Bombay Legislative Council (President and Dy. President) ~~Speaker~~ and the Bombay Legislative Assembly (Speaker and Dy. Speaker) Salaries Act, 1937.

Your obedient servant,

Sd/-

Secretary to the Governor of
Bombay.

4 c.
V.R.K.
16/7/56

A C T S

Publication of the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries (Amendment) Act, 1946.

GOVERNMENT OF BOMBAY
Legal Department.
Resolution No. 4263
Bombay Castle, 11th June 1946.

Letter from the Secretary to the Governor No. ~~xxx~~ 4099, dated the 31st May, 1946.

Letter from the Secretary to the Governor No. G.S. 1767, dated the 7th June 1946;

"With reference to your letter No. 4099, dated 31st May 1946, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the Bill to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937."

RESOLUTION.- The law should be published as Bombay Act N.XIX of 1946, in the Bombay Government Gazette, dated the 11th June 1946.

2. The Act should be translated into Marathi Gujarati, Kannada and Hindustani (in Urdu and Devnagari Scripts) and the translations should be published in the Bombay Government Gazette.

By order of the Governor of Bombay,

Sd/-

Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy ofthe Act and with a request that 15 Gazette copies of the Act may be forwarded to the Legal Department)

The Oriental Translator to Government)
The Secretary to the Bombay Legislative Council.) With a copy of the Act.
The Secretary to the Bombay Legislative Assembly.)

With five extra copies.

4 c.
V.R.K.
16/7/56

No. G.S. 1742
Office of the Governor's Secretary,
Government House.

From

G.G.Drewe, Esquire, OBE. ICE.
Secretary to the Governor of Bombay

To

The Secretary to Government,
Legal Department,

Bombay, 5th June 1946

Subject: A Bill to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

Sir,

With reference to your letter No. 4093, dated 31st May 1946, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the Bill to amend the Bombay Legislatuer Members' Salaries and Allowances Act, 1937.

Your obedient servant,

Sd/-

Secretary to the Governor of Bombay.

4 a.
V.R.K.
20th July 1956

A C T S

Publication of the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1946.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 4219
Council Hall, Poona, 8th June 1946.

Letter to the Secretary to the Governor, No. 4093, dated the 31st May 1946.

Letter from the Secretary to the Governor, No. G.S.1742, dated the 5th June 1946.

"With reference to your letter No. 4093, dated 31st May 1946, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the Bill to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

RESOLUTION:- The law should be published as Bombay Act No. XI of 1946 in the Bombay Government Gazette, dated the 8th June 1946.

2. The Act should be translated into Marathi Gujarati, Kannada and Hindustani (in Urdu and Devnagari Scripts) and the trnaslations should be published in the Bombay Government Gazette.

By order of the Governor of Bombay,

Sd/- (K.M.Chitnvis)

Assistant Secretary to Government.

To
The Manager Government Central Press Bombay(with a copy of the Act and with a request that 15 Gazette copies of the Act may be forwarded to the legal Department).
The Oriential Translator to Government.) With
The Secretary to the Bombay Legislative Council) copy
The Secretary to the Bombay Legislative) of th
Assembly.) Act.

With five extra copies.

4 c.
V.R.K.
20/7/56

43
205

Registered No. B-f

The Bombay Government Gazette

PUBLISHED BY AUTHORITY

WEDNESDAY, 8TH MAY 1946.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V

(To be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations to be published in the "Bombay Government Gazette". The dates of publication to be reported.)

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

L. A. BILL No. I OF 1946.

A Bill to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937.

WHEREAS it is expedient to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. II of 1937.

1. This Act may be called the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries (Amendment) Act, 1946. Short title.

2. In section 3 of the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, hereinafter called the said Act, in clause (*a*) for the figures "500" the figures "850" and in clause (*c*) for the figures "150" the figures "200" shall be substituted. Amendment of section 3 of Bom. II of 1937.

Bom. II of 1937.

3. In section 5 of the said Act, for the figures "100" the figures "200" shall be substituted. Amendment of sect io of Bom. II of 1937.

4. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946. Retrospective operation of Act.

STATEMENT OF OBJECTS AND REASONS.

In view of the increased cost of living it is considered necessary to raise the salary and motor car maintenance allowance of the President of the Bombay Legislative Council and the Speaker of the Bombay Legislative Assembly from Rs. 500 and Rs. 150 to Rs. 850 and Rs. 200, respectively, per month ; and to raise the salary paid to the Deputy President of the Bombay Legislative Council and the Deputy Speaker of the Bombay Legislative Assembly from Rs. 100 to Rs. 200 per month.

8th May 1946. (Signed) D. N. DESAI.

By order of the Governor of Bombay,

M. G. MONANI,

Bombay, 8th May 1946. Assistant Remembrancer of Legal Affairs.

57-I/73

L. A. BILL No. I OF 1946.

An Act to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937.

(As read for the third time and passed by the Legislative Assembly on the 22nd May 1946.)

WHEREAS it is expedient to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Bom. II of 1937.

1. This Act may be called the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries (Amendment) Act, 1946. Short title.

2. In section 3 of the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, hereinafter called the said Act, in clause (*a*) for the figures "500" the figures "850", in clause (*b*) for the figures "100" the figures "200" and for the words "with a house" the words "with a furnished house", and in clause (*c*) for the figures "150" the figures "200" shall be substituted. Amendment of section 3 of Bom. II of 1937.

Bom. II of 1937.

3. In section 5 of the said Act, for the figures "100" the figures "200" shall be substituted. Amendment of section 5 of Bom. II of 1937.

4. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946. Retrospective operation of Act.

SM Bk Hb 13

STATEMENT OF OBJECTS AND REASONS.

In view of the increased cost of living it is considered necessary to raise the salary and motor car maintenance allowance of the President of the Bombay Legislative Council and the Speaker of the Bombay Legislative Assembly from Rs. 500 and Rs. 150 to Rs. 850 and Rs. 200, respectively, per month ; and to raise the salary paid to the Deputy President of the Bombay Legislative Council and the Deputy Speaker of the Bombay Legislative Assembly from Rs. 100 to Rs. 200 per month.

D. N. DESAI.

8th May 1946.

55
227

Bom Act No XY of 1946

~~L. A. BILL No. I OF 1946.~~

An Act to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937.

(As read for the third time and passed by the Legislative Assembly on the 22nd May 1946.)

(As read for the third time and passed by the Legislative Council on the 23rd May 1946.)

WHEREAS it is expedient to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Bom. II of 1937.

1. This Act may be called the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries (Amendment) Act, 1946. Short title.

2. In section 3 of the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937, hereinafter called the said Act, in clause (*a*) for the figures "500" the figures "850", in clause (*b*) for the figures "100" the figures "200" and for the words "with a house" the words "with a furnished house", and in clause (*c*) for the figures "150" the figures "200" shall be substituted. Amendment of section 3 of Bom. II of 1937.

Bom. II of 1937.

3. In section 5 of the said Act, for the figures "100" the figures "200" shall be substituted. Amendment of section 5 of Bom. II of 1937.

4. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946. Retrospective operation of Act.

L. A. BILL No. I OF 1946 [AN ACT TO AMEND THE BOMBAY LEGISLATIVE COUNCIL (PRESIDENT AND DEPUTY PRESIDENT) AND THE LEGISLATIVE ASSEMBLY (SPEAKER AND DEPUTY SPEAKER) SALARIES ACT, 1937].

Mr. DINKERRAO N. DESAI (Minister for Law and Civil Supplies) : Sir, I beg leave to introduce Bill No. I of 1946 [An Act to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937] as read for the third time and passed by the Legislative Assembly.*

The Honourable the PRESIDENT : The Bill is introduced.

Mr. DINKERRAO N. DESAI : Mr. President, Sir, I beg to move that Bill No. I of 1946 [An Act to amend the Bombay Legislative Council (President and

* Appendix I.

[Mr. Dinkerrao N. Desai]

Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937] as read for the third time and passed by the Legislative Assembly, be read a first time.

Question proposed.

Mr. DINKERRAO N. DESAI: Mr. President, Sir, the Bill does not require any long argument in its support. As you know, Sir, the cost of living has gone up very high. The salary which was fixed in the year 1937 will hardly be adequate to meet the expenses of living in the year 1946. In order to remove that anomaly, the salaries have been revised and the figure of Rs. 800, which [redacted] the salary in 1937, has now been raised to Rs. 850. This is inclusive of income tax, that is, the income tax on the amount will have to be paid out of the salary.

Then, Sir, the motor car allowance which was then Rs. 100 has been raised to Rs. 200, and that is also to meet the increased cost of keeping a car nowadays, as petrol price has gone up, as also the salaries of servants, etc. That is why this amendment has become necessary.

The third change, Sir, is that the houses now given will be furnished ones, was not so before.

So far as the salaries for the Deputy President and the Deputy Speaker are concerned, the increase from Rs. 100 to Rs. 200 has been made for the same reasons.

For these reasons, Sir, I would commend the Bill for the acceptance of the House.

Question put, and agreed to.

Mr. DINKERRAO N. DESAI: Mr. President, Sir, I move that Bill No. I of 1946 [An Act to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937] as read for the third time and passed by the Legislative Assembly, be read a second time.

Question put, and agreed to.

Bill read Clause by Clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

Clause 2 (*Amendment of section 3 of Bom. II of 1937*) ordered to stand part of the Bill.

Clause 3 (*Amendment of section 5 of Bom. II. of 1937*) ordered to stand part of Bill.

Clause 4 (*Retrospective operation of Act.*)—

"The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946."

The Honourable the PRESIDENT: Clause 4 has an amendment. The hon. Member Mr. Mandlik may now move his amendment.

Mr. R. N. MANDLIK: माझी उपसूचना अशी आहे.

"In clause 4, delete the words '3rd day of April 1946' and substitute the words 'date from which the primary teachers will be given a new scale of enhanced pay, promised to them by the Prime Minister'."

Question proposed.

9331

The Honourable the PRESIDENT : Personally, I think this amendment would be out of order, but I would like to have the views of the House.

Mr. SHANTILAL H. SHAH (Broach and Panch Mahals *cum* Surat) : Supposing the Prime Minister does not grant the primary teachers a new scale of enhanced pay, what then would be the position ?

Mr. DINKERRAO N. DESAI : Mr. President, Sir, I rise to point out to the hon. Member opposite the effect of his amendment, which would be that the payment of salaries to the President and the Speaker will have to be indefinitely postponed till the other question on which their pay is made dependent is decided by the Prime [redacted]. Now, Sir, if you look to section 65 (4) of the Government of India Act, it is obligatory upon the Government to pay to the Speaker and the Deputy Speaker salaries which are to be fixed by the House. The section runs thus :

"65 (4). There shall be paid to the Speaker and the Deputy Speaker of the Legislative Assembly such salaries as may be respectively fixed by Act of the Provincial Legislature, and, until provision in that behalf is so made, such salaries as the Governor may determine."

The words are " shall be paid " and so it is an obligation that the salaries should be paid. The matter cannot be indefinitely postponed on the ground that certain other questions which require decision have not been decided by one authority or the other. I submit, therefore, that having regard to the clear wording of section 65(4) of the Government of India Act, 1935, this amendment would be completely out of order.

Mr. R. R. BAKHALE : Sir, I do not think that my hon. Friend Mr. Mandlik was very serious when he tabled this amendment. There are a thousand and one things in the administration of the Government which have to be decided from time to time ; and if these things are made dependent statutorily one upon the other, I am afraid, no statu e is possible. My hon. Friend Dr. Gilder will bear me out that some years ago there were some maternity cases pending in the J. J. Hospital and the Dean or the head of the Hospital gave notice that these cases should be immediately removed as there was no accommodation. If there was in the then legislature my hon. Friend, Mr. Mandlik, he would have tabled an amendment to some Bill then before the legislature, that until these maternity cases were satisfactorily disposed of, the Bill should not proceed further. It seems to me that it is rather unfortunate that an amendment of this character should have been tabled. I deeply sympathise with my hon. Friend with regard to his point about the low salaries of the teachers. But that is an entirely different proposition and if he, Sir, brings forward a motion of adjournment, if it is permissibe, to ventilate a grievance I for one shall not hesitate to support it. But to tag on to a statute determining salaries and allowances of certain officers of Government, certain things which are absolutely irrelevant to that particular proposition, is in my opinion highly extraordinary. I, therefore, submit, Sir, that in my personal judgment this amendment is out of order.

Mr. B. G. KHER (Prime Minister) : Sir, I draw your attention to Rule 20 of the General Rules of Procedure (page 53 of the Bombay Legislature Manual). The Rule runs thus :—

"20 (1). The business of the Council shall be transacted in English, but any member who is unacquainted or feels that he is not sufficiently acquainted with English may address the Council in any recognised language."

The term " recognised language " is defined, Sir, and I know that Marathi is one of the recognised languages. The hon. Member for Kolaba is a graduate of the Bombay University of 36 years' standing. I do not think he falls under either

[Mr. B. G. Kher]

of the categories mentioned in the Rule, namely, that he is unacquainted or feels that he is not sufficiently acquainted with English. Whether the hon. Member feels that he is unacquainted with the English language, I cannot say. It is not possible to dive into the minds of men ; but from the fact that he read the amendment in such beautiful accents, as even the Principal of the Fergusson College will admit, and that he did not show any signs of unacquaintance with the English language, I believe, Sir, the hon. Member has no reason to feel that he is not sufficiently acquainted with the English language.

Apart from this fact, according to another rule, which is also obse[illegible] Assembly, if a Member once makes up his choice of the language in which he wishes to address the House, he must continue to adhere to it in future. If the hon. Member begins to address this House in Marathi, with your permission, I do not think, Sir, he can be permitted to read anything in English and he must be given the assistance of an interpreter who is sufficiently acquainted with the English language. I find that the hon. Member has read his own amendment in English. I, therefore, requ[illegible] the Chair to decide in which language the hon. Member is going to address th[illegible] House hereafter.

As regards the point of order, I do not propose to say anything as it has been thoroughly argued. Personally, Sir, I think if the amendment is carried I could be the ruler of all I survey, and I can just be a despot who will rule the Members of this House, Ministers and President etc. in regard to their salaries. But, that, Sir, is not a consideration which arises on this point of order. After the point of order is decided, I may make any submission that I have to make. Personally, I am rather inclined to agree with the view that was expressed by the hon. Member for Labour, Mr. Bakhale, that the mover of this amendment could not have been very serious in moving this amendment. He only wishes to draw attention to the fact that while some salaries are being raised there are other people whose salaries also require attention. If it is only a mode of drawing our attention, I might point out to the hon. Member that he has himself seen that the plight of the primary teachers received prompt attention at the hands of this Government as soon as it took the reins of office. The amendment itself says 'a new scale of enhanced pay, promised to them' and so the hon. Member is aware that this matter in under consideration. I am perfectly certain that if he had to decide this complicated question he would take much longer time than this Government is going to take (*Hear, Hear* !). But, Sir, it is his provilege as a Member, who[illegible] not burdened with the responsibility of discharging any promises that he mak[illegible] or implementing any decisions that he will announce, to draw the attention of this Government in this particular manner to the question which he wishes to raise by this amendment. I am sure, Sir, after these remarks he will promptly withdraw all his amendments.

The Honourable the PRESIDENT : In what language does the hon. Member desire to address the House ? I think it my duty to draw his attention to Rule 20 of the General Rules of Procedure. This question has got mixed up with the main question, but as language is the vehicle of expression, I wish to take up this question first.

Mr. Mandlik will now say whether in accordance with Rule 20, he is prepared to make the statement that he is unacquainted with the English language, or feels that

[The President]

he is not sufficiently acquainted with the English language and may, therefore, be permitted to address the Council in any of the recognised languages.

Mr. R. N. MANDLIK :

पंतप्रधान नामदार खेर यांनी आतां जो मुद्दा मांडला आहे तो ऐकून मला फार आश्चर्य वाटलें. खेरसाहेब हे मागल्या असेंब्लीमध्यें पंतप्रधान होते व त्या असेंब्लीमध्यें मीहि सभासद होतो. त्या अडीच वर्षांच्या कालांत मराठीशिवाय इतर भाषेंत मी केव्हांहि भाषण केलें नाहीं.

(*Substance of the above in English.*)

I am surprised at the point raised by the Prime Minister. Both of us were in the last Assembly, and during those two and a half years, I never remember to have delivered any speech in any language other than Marathi.

Mr. B. G. KHER : Nor did you move any such amendments at that time.

Mr. R. N. MANDLIK :

असें असतांना आज या ठिकाणीं मी इंग्रजी भाषेंतच बोललें पाहिजे असा आग्रह धरण्याची बुद्धि पंतप्रधानांना कां होत आहे तें मला समजत नाहीं.

(*Substance of the above in English.*)

In spite of this precedent I do not know what now makes the Prime Minister insist that I must speak in English only.

Mr. B. G. KHER (Prime Minister) : If you will permit me, Mr. President, I would like to read Section 85 of the Government of India Act, 1935 :

" All proceedings in the Legislature of a Province shall be conducted in the English language :

Provided that the rules of procedure of the Chamber or Chambers, and the rules, if any, with respect to joint sittings, shall provide for enabling persons unacquainted, or not sufficiently acquainted, with the English language to use another language."

Mr. R. N. MANDLIK :

हिंदुस्थानसरकारचा कायदा कांहीं आज नवीन पास झालेला नाहीं. मी १९३७ सालापासून मराठींतच भाषण करीत आहे ; तथापि त्यांना या कायद्याची आठवण पूर्वी कधीं झाली नाहीं. इंग्रजी भाषेंत भाषण करण्याची माझी मुळींच इच्छा नाहीं. नामदार खेरसाहेब हे कांग्रेसचे नुसते सभासदच नाहींत तर ते कांग्रेसचे पुढारी आहेत.

(*Substance of the above in English.*)

The Government of India Act is not a law passed very recently. I have been delivering speeches in Marathi since 1937. I do not understand how the Prime Minister did not remember this Act at that time. I have no desire to speak in English. The Prime Minister is not only a Member but also the Leader of the Congress Party.

The Honourable the PRESIDENT: Apart from the great merits and qualifications of the Prime Minister, I want you to come back to the main question as to what is the position under Rule 20, viz., whether the hon. Member is acquainted with English or is not sufficiently acquainted with English. Your remarks should be confined to this question.

Mr. R. N. MANDLIK:

मराठी ही माझी मातृभाषा आहे व त्या भाषेमध्यें मला माझे विचार जितके चांगल्या रीतीनें मांडतां येतील तितके ते माझी मातृभाषा नसलेल्या इंग्रजी भाषेंत मांडतां येणार नाहींत असें मला वाटतें. म्हणून केव्हांहि भाषण करावयाचें झालें म्हणजे तें मी मराठांतच करावयाचें ठरविलें आहे. हा प्रश्न नामदार खेर यांनीं गेल्या असेंब्लींत काढला नव्हता तरी या प्रश्नावर असेंब्लीमध्यें चर्चा झाली होती मराठीप्रमाणें गुजराथी, कानडी व ऊर्दू भाषांबद्दलहि चर्चा झाली होती व त्या त्या भाषांत ज्याची इच्छा असेल त्या सभासदाला बोलण्याची परवानगी स्पीकरसाहेबांनीं दिली होती ज्याप्रमाणें मी गेल्या असेंब्ली मराठींत बोलत होतो त्याप्रमाणें यापुढेंहि मराठींतच बोलण्याची माझी इच्छा आहे. नामदार पंतप्रधान ज्या पक्षातर्फे निवडून आले आहेत त्या पक्षाचे नेते महात्मा गांधी यांनीं नुकतेंच आपल्या हरिजनच्या अंकांत असें स्पष्टपणें लिहिलें आहे कीं इंग्रजी भाषा आपल्याला परकी असून ती इतकी चमत्कारिक आहे कीं ती नीटपणें समजून घेणें हें काम महाकंठीण आहे. ब्रिटिश शिष्टमंडळानें केलेल्या घोषणेच्या बाबतींत लिहितांना ते म्हणतात कीं ती घोषणा अशा कांहीं इंग्रजींत लिहिली आहे कीं तिचा नीट अर्थ लावून घेणें फार कठीण काम आहे. तेव्हां प्रत्यक्ष महात्मा गांधींना जी भाषा समजावून घेणें कठीण वाटतें तीं भाषा मला माझे विचार प्रकट करण्याला कठीण वाटली तर त्यांत नवल काय ?

(*Substance of the above in English.*)

Marathi is my mother tongue, and, therefore, I cannot express my thoughts in English as satisfactorily as I can do in Marathi. That is why I have decided to speak in Marathi. Although the Prime Minister did not raise this point in the last Assembly, the point was discussed in the Assembly and the then Honourable the Speaker permitted the hon. Members to speak in their own regional langu if they so desired. Mahatma Gandhi has clearly written in his 'Harijan' that the English language is so foreign to us that it is very difficult to understand it properly. He has passed a similar remark regarding the announcement of the Parliamentary Delegation. Therefore, it is no surprise that I should feel it difficult to express myself in English.

The Honourable the PRESIDENT: Mahatma Gandhi's views and ideas are quite irrelevant to the question of the amendment before us. You can confine your remarks to your knowledge of English and Marathi.

Mr. R. N. MANDLIK:

महात्मा गांधीबद्दल मी जो निर्देश केला तो अप्रस्तुत आहे असें मला वाटत नाहीं. त्यांच्याहि मतें मातृभाषेंत आपले विचार मांडणें हें अधिक सोयीचें आहे हेंच सांगण्याचा

[Mr. R. N. Mandlik]

माझा हेतु होता. त्यांत माझा दुसरा कांहींच हेतु नव्हता. परंतु मी तो निर्देश करूं नये असेच आपलें म्हणणें असेल तर तें मी मान्य करतों.

(Substance of the above

I do not think that my mention of Mahatma Gandhi is irrelevant. I only wanted to indicate that he also agreed with my view. However, if the Honourable the President desires that I should not pursue that reference, I accept his ruling.

The Honourable the PRESIDENT: I am very sorry to say that I am here to administer the rules. Your desire to speak in Marathi is perfectly understood, but you must confine your remarks to the position under Rule 20.

Mr. R. N. MANDLIK:

इंग्रजी भाषेपेक्षां मराठींतच मला जास्त चांगलें बोलतां येईल असें मला वाटतें व म्हणून माझी तशी इच्छा आहे.

(Substance of the above in English.)

I have expressed my desire to speak in Marathi, because I think that I would be able to express myself better in that language.

Mr. B. G. KHER: It appears that the hon. Member wants to suggest that he is not sufficiently acquainted with English!

The Honourable the PRESIDENT: If I have followed what the hon. Member said in Marathi correctly, it seems that it is not that he is insufficiently acquainted with English, but that he feels that he can express himself better in Marathi and that is why he wishes to speak in Marathi. He feels that for better expression for his thoughts and sentiments and ideas, he wishes to address the House in Marathi. I think he is right. So far as amendments are concerned, in future he can give his amendments in Marathi or English as he likes and Office will get them translated, if necessary. Now, as he has started speaking in Marathi, the hon. Member will keep to it.

The hon. Member can complete his remarks about the amendment.

Mr. R. N. MANDLIK:

माझ्या उपसूचनेचा हेतू एवढाच आहे कीं सरकारनें शिक्षकांच्या पगारांचा निकाल आधीं लावावा. मी कांहीं कायदेपंडित नाहीं. माझी उपसूचना नियमबाह्य आहे असें आपलें म्हणणें असेल तर तसें म्हणण्याचा आपला अधिकार आहे व आपलें म्हणणें मला मान्य केलें पाहिजे.

(Substance of the above in English.)

I only wanted that Government should decide the problem of the primary teachers first. However, if the Honourable the President thinks that my amendment is out of order, I would withdraw it.

The Honourable the PRESIDENT : The amendment is clearly out of order and I hold the amendment out of order. There is no other amendment.

Clause 4 ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

Mr. DINKERRAO N. DESAI : Mr. President, Sir, I move that L. A. Bill No. 1 of 1946 as read for the third time and passed by the Assembly be read a third time and passed.

Question put, and agreed to.

The Honourable the PRESIDENT : Bill No. 1 of 1946 [An Act to amend the Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937] as read for the third time and passed by the Assembly is read a third time and passed.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

265
155

(To be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari Scripts) and the translations to be published in the 'Bombay Government Gazette". The dates of publication to be reported.)

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

L. A. BILL No. II OF 1946.

A Bill to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

WHEREAS it is expedient to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. III of 1937.

1. This Act may be called the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1946. Short title.

2. In section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937, in clause (*a*) for the figures "75" the figures "150" and in clause (*b*) for the figure "3" the figure "5" shall be substituted. Amendment of section 3 of Bom. III of 1937.

Bom. III of 1937.

3. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946. Retrospective operation of Act.

STATEMENT OF OBJECTS AND REASONS.

In view of the increased cost of living it is considered necessary to raise the salary and daily allowance of members of the Bombay Legislature from Rs. 75 per month and Rs. 3 per day to Rs. 150 per month and Rs. 5 per day.

8th May 1946. (Signed) D. N. DESAI.

By order of the Governor of Bombay,

M. G. MONANI,
Assistant Remembrancer of Legal Affairs.

Bombay, 8th May 1946.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

161
275

L. A. BILL No. II OF 1946.

An Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

(As read for the third time and passed by the Legislative Assembly on the 22nd May 1946.)

WHEREAS it is expedient to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. III of 1937.

Short title.

1. This Act may be called the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1946.

Amendment of section 3 of Bom. III of 1937.

2. (*1*) Section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937, hereinafter called the said Act, shall be renumbered as sub-section (*1*) of section 3 and in the said sub-section (*1*) of section 3 as so renumbered—

Bom. III of 1937.

(*i*) in clause (*a*) for the figures "75" the figures "150" shall be substituted;

(*ii*) in clause (*b*) for the figure "3" the figure "5" shall be substituted;

(*iii*) in the Proviso for the word "section" the word "sub-section" shall be substituted.

(*2*) After the said sub-section (*1*) of section 3 of the said Act, the following shall be added, namely :—

"(*2*) Notwithstanding anything contained in sub-section (*1*) there shall be paid to each Member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends the session of a Chamber or the meeting of a Committee of such Chamber."

Retrospective operation of Act.

3. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946.

STATEMENT OF OBJECTS AND REASONS.

In view of the increased cost of living it is considered necessary to raise the salary and daily allowance of members of the Bombay Legislature from Rs. 75 per month and Rs. 3 per day to Rs. 150 per month and Rs. 5 per day.

8th May 1946. D. N. DESAI.

287
167

L. A. BILL No. II OF 1946.

An Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

(As read for the third time and passed by the Legislative Assembly on the 22nd May 1946.)

(As read for the third time and passed by the Legislative Council on the 23rd May 1946.)

WHEREAS it is expedient to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Bom. III of 1937.

1. This Act may be called the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1946. Short title.

2. (*1*) Section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937, hereinafter called the said Act, shall be renumbered as sub-section (*1*) of section 3 and in the said sub-section (*1*) of section 3 as so renumbered— Amendment of section 3 of Bom. III of 1937.

Bom. III of 1937.

(*i*) in clause (*a*) for the figures "75" the figures "150" shall be substituted;

(*ii*) in clause (*b*) for the figure "3" the figure "5" shall be substituted;

(*iii*) in the Proviso for the word "section" the word "sub-section" shall be substituted.

(*2*) After the said sub-section (*1*) of section 3 of the said Act, the following shall be added, namely :—

"(*2*) Notwithstanding anything contained in sub-section (*1*) there shall be paid to each Member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends the session of a Chamber or the meeting of a Committee of such Chamber."

3. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946. Retrospective operation of Act.

295 177

Registered No. B-f

The Bombay Government Gazette

PUBLISHED BY AUTHORITY

SATURDAY, 8TH JUNE 1946.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

CONTENTS.

PAGES

BOMBAY ACT No. XI OF 1946—An Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937 154-155

The following Act of the Bombay Legislature having been assented to by the Governor on the 4th June 1946 is hereby published for general information.

P. N. MOOS,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XI OF 1946.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 8th June 1946.)

An Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937.

Bom. III of 1937.

WHEREAS it is expedient to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1946.

Amendment of section 3 of Bom. III of 1937.

2. (*1*) Section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937, hereinafter called the said Act, shall be renumbered as sub-section (*1*) of section 3 and in the said sub-section (*1*) of section 3 as so renumbered— Bom. III of 1937.

(*i*) in clause (*a*) for the figures "75" the figures "150" shall be substituted;

(*ii*) in clause (*b*) for the figure "3" the figure "5" shall be substituted;

(*iii*) in the Proviso for the word "section" the word "sub-section" shall be substituted.

(*2*) After the said sub-section (*1*) of section 3 of the said Act, the following shall be added, namely :—

"(*2*) Notwithstanding anything contained in sub-section (*1*) there shall be paid to each Member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends the session of a Chamber or the meeting of a Committee of such Chamber."

Retrospective operation of Act.

3. The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946.

BOMBAY; PRINTED AT THE GOVERNMENT CENTRAL PRESS.

L. A. BILL No. II OF 1946 (AN ACT TO AMEND THE BOMBAY LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES ACT, 1937).

Mr. DINKERRAO N. DESAI: (Minister for Law and Civil Supplies) Mr. President, Sir, I beg leave to introduce L. A. Bill No. II of 1946 (An Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937) as read for the third time and passed by the Legislative Assembly*.

The Honourable the PRESIDENT: Bill No. II of 1946 (An Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937) is introduced.

Mr. DINKERRAO N. DESAI: Sir, I move that Bill No. II of 1946 as read for the third time and passed by the Legislative Assembly be read for a first time.
Question put, and agreed to.

Mr. DINKERRAO N. DESAI: Sir, I move that Bill No. II of 1946 as read for the third time and passed by the Legislative Assembly be read for a second time.
Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

Clause 1 (*Amendment of Section 3 of Bom. III of 1937*).—

"(1) Section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937, hereinafter called the said Act, shall be renumbered as sub-section (*1*) of section 3 and in the said sub-section (*1*) of section 3 as so renumbered—

(*i*) in clause (*a*) for the figures '75' the figures '150' shall be substituted;

* Appendix 2.

(*ii*) in clause (*b*) for the figure '3' the figure '5' shall be substituted;

(*iii*) in the Proviso for the word "section" the word "sub-section" shall be substituted.

"(2) After the said sub-section (*1*) of section 3 of the said Act, the following shall be added, namely :—

'(2) Notwithstanding anything contained in sub-section (*1*) there shall be paid to each Member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends the session of a Chamber or the meeting of a Committee of such Chamber'."

Mr. R. R. BAKHALE : If the hon. Member in charge of the Bill will not accuse me of being charged with personal considerations, I would like to submit that the amendment made by the Assembly yesterday which is here now, viz., that in clause (*b*) of section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937, for the figure "3" the figure "5" shall be substituted, does not adequately meet the situation.

The Honourable the PRESIDENT : I should like to know whether the hon. Member is speaking on clause 2 of Bill No. II of 1946.

Mr. R. R. BAKHALE : Yes, Sir, I am speaking on the clause. I would like to read clause (*b*) of section 3 of the Bombay Legislature Members' Salaries and Allowances Act, 1937 :

"There shall be paid to each Member a daily allowance at the rate of Rs. 3 for each day of the period of residence for the purpose of attending the session of a Chamber or the meeting of a Committee of such Chamber.....

Mr. SHANTILAL H. SHAH : Sir, I would like to raise a point of order.

The Honourable the PRESIDENT : I find that when one hon. Member is reading something, another hon. Member is standing and asking for a point of order. I think the hon. Member finish reading and his remarks and then I will attend to the hon. Member who wants to raise a point of order.

Mr. R. R. BAKHALE : I rise to make certain observations on clause 2 of Bill No. II of 1946.

Mr. SHANTILAL H. SHAH : There is no amendment to clause 2 before the House and I do not know on what point the hon. Member wants to speak. There must be some special point on which the hon. Member can speak. General observations on a clause of a Bill should not be allowed at the second reading.

Mr. R. R. BAKHALE : Most certainly, Sir, they are allowed. Clause 2 of Bill No. II of 1946 is now before the House and every hon. Member can express his opinion in favour or against the clause.

The Honourable the PRESIDENT : You can now complete your remarks about the clause and then the House will know whether you were speaking in favour or against the clause.

Mr. R. R. BAKHALE : Sir, I am not going to oppose this clause. But certainly I am entitled to make my observations on the clause for the consideration of the Government, and if Government think that my observations have got any substance, they might reconsider the matter. If they feel that my observations have no substance, they may not reconsider the matter at all. It is wholly unnecessary for me to table any amendment. What I was submitting was that this daily allowance, which was sanctioned yesterday at the other place, is in my opinion much too low, particularly to those Members who reside in Poona. Poona is a big enough town. There are no cheap transport facilities like trams or buses as we have in Bombay. Therefore, if you have no motor car, the only option for you is to engage a tonga, and if you engage a tonga either from the Fergusson College or from the Lakdi Bridge each time the tonga charge is easily Rs. 2-8-0 or Rs. 3 to go to the Council Hall, and the same amount for coming back. It amounts ■lly to Rs. 5 a day. If the idea is that whatever extra amount that the hon. Member may be required to spend on conveyance he should pay out of the daily allowance he gets, I can understand it, and I have no grievance against it.

Mr. DINKERRAO N. DESAI : Yes, that is the idea.

Mr. R. R. BAKHALE : But the amount of the allowance, Rs. 5, is really not enough. There are the refreshments and there are other expenses which a Member has got to incur daily, and taking all these things into account, I do honestly feel that this amount is rather small and deserves to be increased.

Mr. NARSINGRAO S. DESAI (Dharwar *cum* Kanara) : Sir, I wish to make one suggestion. In Poona or Bombay it is very difficult to get a residence. Even in boarding and lodging houses, we cannot get accommodation. Even though I am here only for three days, I have not been able to get any accommodation, and in the boarding and lodging house where I am staying, I am required to sleep on the terrace, although I am paying full charges. So, I request Government to provide a bungalow or some residential quarters for the use of the hon. Members. I have no objection if Government charges rent for such accommodation. But I request that residential accommodation may be provided by Government. It is quite necessary.

Sir BEHRAM KARANJIA (Bombay City *cum* Bombay Suburban District) : Sir, I do not understand what the hon. Member Mr. Bakhale and the hon. Member Mr. Desai are fighting for. Up to now there was no conveyance allowance, and the Members were still grumbling. Now, this time Government has been good enough to give Rs. 3 per day as conveyance allowance, and I do not see why there should be a clamour for more. It is true that there are no trams in Poona, and for those who go by motor cars the conveyance allowance is somewhat insufficient, but we should all help Government. The Ministers themselves are accepting quite low salaries. I think that the conveyance allowance of Rs. 3 should be quite sufficient for each and every member of this House.

The Honourable the PRESIDENT : The recommendation to the Government is that the amount of the conveyance allowance that is proposed in the Bill is not sufficient for the needs of the Members and that they have to incur additional expenditure. It is for Government to consider the recommendation. I will now put the clause before the House.

Clause 2 ordered to stand part of the Bill.

Clause 3 (*Retrospective operation of the Act*) :

The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946.

The Honourable the PRESIDENT: There is an amendment to this clause by the hon. Member Mr. Mandlik. Does he propose to move it ?

Mr. R. N. MANDLIK : I will move it, and you may rule it out of order.

Mr. B. G. KHER : Sir, the hon. Member is speaking in English.

Mr. R. N. Mandlik : Sir, I am only speaking in English. I am not making any speech in English. Sir, my amendment is as follows :

In clause 3—
Delete the words "3rd day of April 1946" and substitute the words "date from which the salary of the Primary Teachers will be raised at least at a flat rate of Rs. 10 per month."

The Honourable the PRESIDENT : I rule the amendment to be out of order.

Clause 3 ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

Mr. DINKERRAO N. DESAI : Sir, I move that Bill No. II of 1946 (an Act to amend the Bombay Legislature Members' Salaries and Allowances Act, 1937) as read for the third time and passed by the Legislative Assembly on the 22nd May 1946, be read a third time and passed.

Question put, and agreed to.

The Honourable the PRESIDENT : The Bill is now read a third time and passed.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.